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**DERGOSITS & NOAH LLP**  
**FOUR EMBARCADERO CENTER, SUITE 1450**  
**SAN FRANCISCO, CA 94111**  
**(415) 705-6377**

In re Application of: Joshua D. Kaplan

Attorney Docket No.: 106.48

Serial No.: 09/412,404

Filed: October 5, 1999

For: NETWORK APPARATUS AND METHOD FOR PREVIEW OF MUSIC PRODUCTS AND COMPILATION OF MARKET DATA

**AMENDMENT TRANSMITTAL**

Commissioner for Patents  
Washington, D.C. 20231

<p align="center"><b>CERTIFICATION UNDER 37 CFR §1.10</b></p> <p align="center">I hereby certify that this correspondence is being deposited with the United States Postal Service on this date <u>February 27, 2002</u>, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.</p> <p align="center"><u>Andrew B. Schwaab</u> (Name of person mailing paper)</p> <p align="right"><u>Andrew B. Schwaab</u> Signature</p>
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APR 02 2002

Technology Center 2/00

Sir:

Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)		(Col. 3)	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Additional Fee
Total Claims	*46	Minus	**31	=15	x \$18.00	\$ 270.00
Independent Claims	*7	Minus	***7	=0	x \$84.00	\$ 000.00
First Presentation of Multiple Dependent Claim					x \$280.00	\$ 000.00

Small Entity 50% Filing Fee Reduction (if applicable)\$

Total \$ 270.00

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.  
The "Highest Number Previously Paid For" (Total or Independent is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.)

1. ☐ No additional fee is required.
2. ☒ A check in the amount of \$270.00 is attached.
3. ☒ Please charge any additional fees, including any fees necessary for extensions of time, or credit any overpayment to Deposit Account No. 04-0822. A duplicate copy of this sheet is enclosed.
4. ☐ Petition of extension of time. The undersigned attorney of record hereby petitions for an extension of time pursuant to 37. C.F.R. §1.135(a), as may be required, to file this response.

Dated: February 27, 2002

By: Geoffrey T. Staniford  
Reg. No. 43,151

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PATENT  
Attorney Docket No. 106.48

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*#15*  
*T.D.*  
*04/05/02*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Joshua D. KAPLAN

Application No.: 09/412,404

Filed: October 5, 1999

For: **NETWORK APPARATUS AND  
METHOD FOR PREVIEW OF  
MUSIC PRODUCTS AND COMP-  
ILATION OF MARKET DATA**

A Continuation of:

Serial No. 08/741,915, filed Oct. 31, 1996

Asst. Commissioner for Patents  
Washington, D.C. 20231

Examiner: FADOK, Mark A.

Art Unit: 2165

**RESPONSE TO OFFICE ACTION**  
**DATED NOVEMBER 27, 2001**

CERTIFICATE OF MAILING

I hereby certify that the correspondence enclosed herein is being deposited as first class mail with the United States Postal Service on this date February 27, 2002, in an envelope addressed to: Asst. Commissioner for Patents, Washington, D.C. 20231.

By: *Andrew B. Schwaab*  
Andrew B. Schwaab

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Technology Center 2600

Dear Sir:

In response to the Office Action mailed November 27, 2001, applicant submits this Amendment and Response for consideration. Please amend the claims as indicated on the attached replacement sheets, and consider the attached remarks. By this amendment, claims 26, 28-37, 44 and 46-51 have been amended, and new claims 52-66 have been added.

**AMENDMENTS**

Please amend the above-identified application as follows:

In The Written Description:

On page 6, lines 9-10 please amend as follows:

04/01/2002 KAHMED1 00000052 09412404  
01 FC:103 270.00 OP